



PATENT
Attorney Docket 044508-5003-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Michael Daly *et al.*

Application No. 10/089,175

Filed: August 07, 2002

Group Art Unit: 1652

Examiner: Pak, Yong D.

For: Engineered Radiation Resistant Bioremediating Bacteria

U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

TRANSMITTAL FORM

1. Transmitted herewith is a Response to Office Action dated February 24, 2005.
2. Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. Applicants believe that no extension of time is necessary. In the event however that such extension is necessary, the Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.
3. Fee Calculation (37 C.F.R. 1.16):

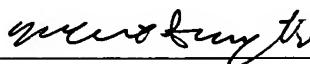
CLAIMS AS AMENDED						
	Remaining		Previously Paid	Extra	Rate	Total Fees
Total Claims	91	minus	41	0	\$50.00 each=	0.00
Independent Claims	3	minus	3	0	\$200.00 each=	0.00
First presentation of Multiple dependent claim					\$360.00	0.00
					Sub-total =	0.00
					Reduction by ½ for filing by a small entity	0.00
					Total Fee =	\$0.00

4. Fee Payment: The Commissioner is hereby authorized to charge Deposit Account No. 50-0310 for payment of any fees which the Office believes are due.

5. **Constructive Petition:** Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **May 24, 2006**
Morgan, Lewis & Bockius LLP
Customer No. **09629**
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
202-739-3000

Respectfully submitted
Morgan, Lewis & Bockius LLP



Robert Smyth
Registration No. 50,801



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AMENDMENT UNDER 37 C.F.R. 1.111

In response to the Office Action dated February 24, 2006, please amend this application as follows:

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 4 of this paper.